

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARIA JACKSON,

Plaintiff,

-against-

THE SCOTT'S COMPANY,

Defendant.  
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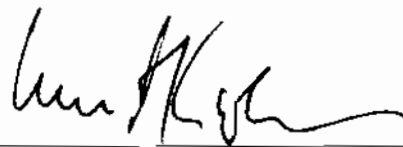
**ORDER**

LEWIS A. KAPLAN, *District Judge*.

Defendant's motion to compel plaintiff to comply with her obligations under Rule 26(a)(1)(A)(iii) [Docket Item 59] is granted.<sup>1</sup> On or before July 29, 2008, plaintiff shall serve defendant with (i) a computation of each category of damages she is seeking, and (ii) the documents or other evidence on which each computation is based. *E.g.*, *DeWitt v. Lieberman*, 97 Civ. 4651 (SAS), 1998 WL 336651 (S.D.N.Y. June 22, 1998). Should plaintiff fail to comply, she may be precluded from introducing evidence of her damages in this action. *See Design Strategy, Inc.*, 494 F.3d at 296-97 (affirming preclusion of introduction of evidence of damages for failure to comply with FRCP 26(a)).

SO ORDERED.

Dated: July 18, 2008



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Lewis A. Kaplan  
United States District Judge

The individual practices of the undersigned require the filing of responses to discovery motions within two business days. Defendant's motion was filed on July 10, 2008. The time to respond expired on July 14, 2008 or, giving effect to Fed. R. Civ. P. 6(d), July 17, 2008. Plaintiff failed to respond.

